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Cynthia L. Clay 54,930  
Name of Attorney or Agent Registration No.

\_\_\_\_\_  
Signature of Attorney or Agent

P&G Case 7682MC2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of :  
E. D. Smith, III et al. : Confirmation No. Unknown  
Serial No. 10/727,281 : Group Art Unit 1771  
Filed December 3, 2003 : Examiner J. Befumo  
For Personal Care Articles Comprising Batting

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made below in a Form PTO/SB08 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

1. ☒ 37 C.F.R. §1.97 (b)(1) - U.S. Direct (within 3-months of filing a regular application or converted provisional)

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(1), is being filed within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2. ☐ 37 C.F.R. §1.97 (b)(3) - (>3 mo. after filing direct, but before 1<sup>st</sup> O.A.)

This information disclosure statement is being submitted under 37 C.F.R. §1.97 (b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a

first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter is enclosed to facilitate charging of the fee, if necessary.

3. ☐ 37 C.F.R. §1.97 (b)(4) - (before the mailing of a first Office Action after the filing of a request for continued examination under §1.114)

This information disclosure statement, submitted under 37 C.F.R. §1.97(b)(4), is being filed with the Request for Continued Examination (RCE) under 37 C.F.R. §1.114.

4. ☐ Information to be Considered with CPA Filing. This information disclosure statement is being filed with a Continued Prosecution Application (CPA) filed under 37 CFR 1.53(d).

5. ☐ 37 C.F.R. §1.97(c) with fee payment - (use after 1<sup>st</sup> Office Action & before Final Office Action or Notice of Allowance)

This information disclosure statement is being submitted under 37 C.F.R. §1.97(c). Applicant(s) have not received a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application (e.g., *Ex parte Quayle*) as of the date of this submission. Applicant(s) elect to pay the fee set forth in 37 C.F.R. §1.17(p). Please charge the fee set forth in 37 C.F.R. §1.17(p) to Deposit Account Number 16-2480 in the name of The Procter & Gamble Company. A duplicate copy of this letter (or a fee transmittal form) is enclosed to facilitate the charging of the fee.

**ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:**

☐ (1) Copies of the cited references were previously cited by or submitted to the USPTO in prior application, Case No. , U.S. Patent Application Serial No. , filed . Applicants claim priority to said application under 35 U.S.C. §120. Accordingly, copies of those documents are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d).

OR

☐ (2) Copies of the cited foreign patents and non-patent literature documents are enclosed.

OR

☒ (3) Copies of all said documents, except document Nos. 37-42 and 61-65, were submitted and all said documents were considered in parent application U.S. Patent Application Serial No. 09/443,196, filed 11/19/1999. Applicant(s) claim priority to said application under 35 U.S.C. §120. Accordingly, copies of document No.'s 1-36 and 43-60 are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). Because the instant application was filed after 6/30/2003, copies of U.S. Patents (document Nos. 37-42) are not required to be provided. Copies of document Nos. 61-65, which are International applications, are enclosed. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

☐ (4) Pursuant to 37 C.F.R. §1.98(c), a concise explanation of the relevance of each cited reference that is not in the English language is provided.

☐ (5) Applicants also respectfully request the Examiner to consider and make of record the copending applications listed on the attached page.

☐ Additional information is attached.

Respectfully submitted,

By Cynthia L. Clay  
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March 3, 2004

Customer No. 27752

(IDS.doc)  
(Last Revised 4/4/2003)

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PTO/SB08A (08-00)

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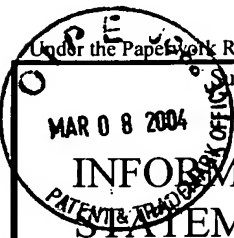
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COMPLETE IF KNOWN

Application Number	10/727,281
Confirmation Number	Unknown
Filing Date	12/03/2003
First Named Inventor	Edward D. Smith et al.
Group Art Unit	1771
Examiner Name	J. Befumo
Attorney Docket Number	7682MC2



## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

SHEET 1 of 2

### U. S. PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. <sup>1</sup>	U.S. PATENT DOCUMENT Number Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	01	3,283,357	Decker et al.	11/08/1966	
	02	3,537,121	McAvoy	11/03/1970	
	03	3,581,447	Falivene	06/01/1971	
	04	3,597,299	Thomas et al.	08/03/1971	
	05	3,896,807	Buchalter	07/29/1975	
	06	3,910,284	Orentreich	10/07/1975	
	07	4,189,395	Bland	02/19/1980	
	08	4,287,633	Gropper	09/08/1981	
	09	4,303,543	Mansy	12/01/1981	
	10	4,515,703	Haq	05/07/1985	
	11	4,559,157	Smith et al.	12/17/1985	
	12	4,569,343	Kimura et al.	02/11/1986	
	13	4,600,620	Lloyd et al.	07/15/1986	
	14	4,603,069	Haq et al.	07/29/1986	
	15	4,665,580	Morris	05/19/1987	
	16	4,674,237	Sullivan	06/23/1987	
	17	4,690,821	Smith et al.	09/01/1987	
	18	4,735,739	Floyd et al.	04/05/1988	
	19	4,758,467	Lempiere	07/19/1988	
	20	4,769,022	Chang et al.	09/06/1988	
	21	4,806,572	Kellett	02/21/1989	
	22	4,820,435	Zafiroglu	04/11/1989	
	23	4,891,227	Thaman et al.	01/02/1990	
	24	4,931,201	Julemont	06/05/1990	
	25	4,948,585	Schlein	08/14/1990	
	26	5,139,841	Makoui et al.	08/18/1992	
	27	5,156,843	Leong et al.	10/20/1992	
	28	5,302,446	Horn	04/12/1994	
	29	5,412,830	Girardot et al.	05/09/1995	
	30	5,507,968	Palaikis	04/16/1996	
	31	5,538,732	Smith et al.	07/23/1996	
	32	5,605,749	Pike et al.	02/25/1997	
	33	5,698,475	Vlasblom	12/16/1997	
	34	5,702,992	Martin et al.	12/30/1997	
	35	5,756,112	Mackey	05/26/1998	
	36	5,763,332	Gordon et al.	06/09/1998	
	37	6,217,889	Lorenzi et al.	04/17/2001	
	38	6,267,975	Smith et al.	07/31/2001	
	39	6,322,801	Lorenzi et al.	11/27/2001	
	40	6,428,799	Cen et al.	08/06/2002	
	41	6,491,933	Lorenzi et al.	12/10/2002	
	42	2002/068886 A1	Beerse et al.	01/17/2002	

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PTO/SB08A (08-00)

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)	<b>COMPLETE IF KNOWN</b>														
SHEET 2 of 2	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Application Number</td> <td>10/727,281</td> </tr> <tr> <td>Confirmation Number</td> <td>Unknown</td> </tr> <tr> <td>Filing Date</td> <td>12/03/2003</td> </tr> <tr> <td>First Named Inventor</td> <td>Edward D. Smith et al.</td> </tr> <tr> <td>Group Art Unit</td> <td>1771</td> </tr> <tr> <td>Examiner Name</td> <td>J. Befumo</td> </tr> <tr> <td>Attorney Docket Number</td> <td>7682MC2</td> </tr> </table>	Application Number	10/727,281	Confirmation Number	Unknown	Filing Date	12/03/2003	First Named Inventor	Edward D. Smith et al.	Group Art Unit	1771	Examiner Name	J. Befumo	Attorney Docket Number	7682MC2
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### FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. <sup>1</sup>	FOREIGN PATENT DOCUMENT Office <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	43	WO 99/21532 A	Hasenoehtl et al.	05/06/1999		
	44	WO 99/37200 A	Nissing et al.	07/29/1999		
	45	BE 855,362		10/03/1977		X
	46	CA 810,361		04/15/1969		
	47	CN 1,050,066	C. Gang	03/20/1991		X
	48	EP 0 161 911 B1	Unilever	08/01/1990		
	49	EP 0 186 208 B1	PWA Waldorf GmbH	05/23/1990		
	50	EP 0 211 664	Unilever	02/27/1987		
	51	EP 0 353 013 B1	Unilever	09/15/1993		
	52	EP 0 353 014 B1	Unilever	01/17/1996		
	53	EP 0 421 163 B1	Kao Corporation	11/30/1994		
	54	EP 0 604 731	Kimberly Clark	07/06/1994		
	55	EP 0 750 062	Procter & Gamble	12/27/1996		
	56	EP 0 836 842	Procter & Gamble	05/06/1998		
	57	EP 0 864 418	Uni-Charm Corp	09/16/1998		
	58	EP 0 870 496	Kao Corporation	10/14/1998		
	59	JP 06-017361	Kao Corporation	01/25/1994		X
	60	WO 98/27257	Kimberly Clark	06/25/1998		
	61	WO 01/08655	Procter & Gamble	02/08/2001		
	62	WO 01/08658	Procter & Gamble	02/08/2001		
	63	WO 01/35905	Procter & Gamble	05/25/2001		
	64	WO 01/35906	Procter & Gamble	05/25/2001		
	65	WO 01/35924	Procter & Gamble	05/25/2001		

### OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIALS*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>6</sup>
EXAMINER			DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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